

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

GT Solar Incorporated

v.

Civil No. 08-cv-249-JL

Fabrizio Goi

ORDER

Based on today's teleconference, the plaintiff is ordered to supplement its previously ordered November, 30, 2009 disclosure in the following ways:

(a) by identifying any additional design specifications that it alleges were misappropriated, converted, or disclosed without authorization in violation of the Trade Secrets Act or the defendant's duties under applicable law, whether or not the plaintiff has conclusively established to its own satisfaction that such misappropriation, conversion or disclosure took place;

(b) by identifying any and all design or fabrication drawings, whether or not bearing the VRV nameplate, depicting the 36-Rod reactor that VRV was manufacturing for GT Solar at the time that Goi was employed as VRV's sales director, that it alleges were misappropriated, converted, or disclosed without authorization in violation of the Trade Secrets Act or the defendant's duties under applicable law, whether or not the plaintiff has conclusively established to its own satisfaction that such misappropriation, conversion or disclosure took place; and

(c) by identifying any of the underlying documents that are referenced in the disclosure or the supplementation ordered herein.

This ordered supplementation does not require the immediate production, as part of this ordered disclosure, of all documents that "describe, relate or refer in any way" to the disclosed design specifications, design or fabrication drawings, or documents.

To the extent that any design specifications, design of fabrication drawings, or documents not identified, disclosed or produced by the plaintiff are identified by the plaintiff through discovery, or are revealed during discovery to be, or to have been, under the possession, custody or control of the defendant or PPP, the plaintiff will be permitted to supplement its disclosure accordingly until the close of discovery, and prior to the summary judgment deadline.

SO ORDERED.



December 23, 2009

Joseph N. Laplante
United States District Judge

cc: Adam Gill, Esq.
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